PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10058 – Porsche/Transnet/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 419/12)

1. On 27 November 2020, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Dr. Ing. h.c. F. Porsche Aktiengesellschaft ('Porsche', Germany),

— TransnetBW GmbH ('Transnet', Germany),

Porsche (through its subsidiary MHP) and Transnet intend to acquire joint control within the meaning of Articles 3(1)(b) and 3(4) of the EU Merger Control Regulation over a yet to be, i.e. newly established, joint venture company ('JVC').

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Porsche: a wholly owned, indirectly controlled, subsidiary of Volkswagen Aktiengesellschaft ('VWAG'), active worldwide in the development, manufacture, marketing and sale of passenger cars, light commercial vehicles, trucks, buses, coaches, chassis for buses and diesel engines, motor bikes, each including spare parts, and accessories. The VW Group also engages in vehicle distribution.

— for Transnet: transmission system operator with its headquarter in Stuttgart, Germany. Transnet operates a large part of the transmission system in Baden-Wuertemberg. Transnet is a wholly owned subsidiary of EnBW Energie Baden-Württemberg AG ('EnBW'), an integrated energy supply company based in Germany.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10058 – Porsche / Transnet / JV

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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